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# The Gujarat Government Gazette

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#### PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Gujarat Acts

#### HEALTH AND FAMILY WELFARE DEPARTMENT

##### NOTIFICATION

Sachivalaya, Gandhinagar, 26<sup>th</sup> November, 2024

#### NATIONAL COMMISSION FOR ALLIED AND HEALTHCARE PROFESSIONS ACT, 2021.

**No. GHY-32-2024-HFWD/MSM/e-file/7/2024/5092/J:-** In exercise of the powers conferred by section 68 of the National Commission for Allied and Healthcare Professions Act, 2021 (14 of 2021) the Government of Gujarat hereby makes the following rules, namely,

1. Short title and commencement-

- 1) These rules may be called the Gujarat State Allied and Healthcare Council Rules, 2024.
- 2) They shall come into force from the date of their publication in the *Official Gazette*.

## 2. Definitions –

- 1) In these rules, unless the context otherwise requires,-
  - a) “Act” means the National Commission for Allied and Healthcare Professions Act, 2021 (14 of 2021);
  - b) “Commission” means the National Commission for Allied and Healthcare Profession constituted under section 3 of the Act;
  - c) "Council" means the Gujarat State Allied and Healthcare Council, constituted under sub-section (1) of section 22 of the Act.
  - d) "Form" means a form annexed to these rules.
  - e) "Section" means a section of the Act.
- 2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

## 3. Qualifications and experience of the Member of the Council-

- 1) To be a member of the Council in accordance with the provision of clause (e) of sub-section (3) of section 22, the person shall possess a post-graduate degree in respective recognized category of Allied and Healthcare Sciences from any recognised University with at least fifteen years' experience in the field of Allied and Healthcare Sciences and shall be eligible to have his name entered in the register of the Council on the basis of his professional qualification.
- 2) To be a member of the Council in accordance with the provision of clause (f) of sub-section (3) of section 22, the person shall possess a post-graduate degree in respective recognised category of Allied and Healthcare Sciences from any recognized University with at least fifteen years' experience in the field of Charitable Institutions engaged in education or services and shall be eligible to have his name entered in the register of the Council on the basis of his professional qualification.

## 4. Travelling and daily allowances of the members- Besides the sitting fees, the Chairperson and members of the Council shall be entitled to receive Travelling and Daily Allowances in accordance with the rules as applicable from time to time to officers of the Gujarat Administrative Service (Junior Scale) of the State Government in respect of meetings of the Council, and they shall not be entitled to any other allowances.

## 5. Meeting of the Council.

- 1)
  - (i) The Council shall meet at its headquarters at least twice in a year on such date and time as may be decided by the Chairperson of the Council.
  - (ii) The Council shall debate and decide the issues and subjects connected with the functions of the Council.
  - (iii) For every meeting of the Council, fifteen days' notice shall be given by the Secretary of the Council.
  - (iv) At least fifteen days before the day fixed for the meeting of the Council, a statement of business to be brought before the meeting, the terms of the resolutions to be then proposed, together with the name of the proposer of each business, shall be forwarded to the members of the Council.
  - (v) One half of the members of the Council shall form the quorum at any meeting of the Council.
  - (vi) If there is no quorum at the commencement of the meeting, the Chairperson shall at the expiration of half an hour take notice whether one half of the members of the Council are present and if there are not, the meeting shall forthwith be adjourned to such a date as the Chairperson may appoint. Such adjournment shall be recorded by the Secretary under the signature of the Chairperson. In case of a meeting earlier adjourned for want of a quorum, one third of the members shall constitute the quorum.
  - (vii) In case of difference of opinion among the members, the opinion of the majority shall prevail.

- (viii) Each member shall have one vote and if there be equality of votes on any question to be determined by the Council, the person presiding over the meeting shall, in addition, have a casting vote.
  - (ix) After every meeting or adjourned meeting, the Secretary shall draft the minutes of the meeting as early as possible on the same day but not later than three days and then circulate the draft minutes to the members within a week of such meeting.
  - (x) The concerned members may respond to the draft minutes within fifteen days on the receipt of the draft, if they deem fit. However, no objections to the draft minutes shall be entertained thereafter.
  - (xi) If no objections are received within the stipulated time, the draft minutes shall be deemed to have been approved by the members. In case where any objection is raised by any member on any item of the draft minutes, such item shall again be placed in the next meeting, or the Chairperson may get response of other members by circulating the same.
  - (xii) The State Government may recommend an agenda item mentioned in the minutes for reconsideration within a period of 45 days since issue of such minutes to be taken up again for discussion and resolution on the views of the State Government thereon and on receipt of such recommendation, the Chairperson shall take up the same for discussion and resolution thereon. However, upon reconsideration by the Council, the decision of the Council as recorded in the minutes shall be final.
- 2) Sitting Fee: The Chairperson and members of the Council shall be entitled to a sitting fee of Five Thousand rupees for each day of the sitting of the Council.
6. Qualification, Salaries, allowances and other conditions of services of Secretary-
- 1) For appointment to the post of Secretary of the Council, a person shall possess;
    - a) a Bachelor's degree in any discipline from the University established by or under the Central or State Act or any other educational institutions recognised as such or declared to be a deemed University under section 3 of the University Grants Commission Act, 1956.
    - b) Administrative experience of not less than ten years. A candidate having experience in the Central Government or a State Government or any Statutory Body shall be given preference. and
    - c) outstanding ability and proven administrative capacity and integrity;
  - 2) The Secretary to the Council shall hold office for a term of four years and shall be eligible for holding office for a maximum of two terms or attaining the age of sixty years whichever is earlier.
  - 3) The salary and allowances payable to the Secretary to the Council not covered under sub-rule 3 shall be equivalent to that of an officer of Gujarat Administrative Service (Senior Scale) to the State Government:

Provided that if the Secretary of the Council is in service of State Government his salary and allowances shall be regulated in accordance with relevant rules applicable in his case and his tenure in the Council shall be treated as transfer on deputation in terms of prevalent rules of the State Government.
7. Functions and duties of Secretary,-
- (a) The Secretary shall exercise in respect of the office of the Council (secretariat), such powers as may be specified by the Council and perform such duties as have been given in the Act and Rules there under.
  - (b) The Secretary shall also be responsible for the safety of the property of the Council and the control and management of the secretariat, accounts and correspondence, and shall see that the staff attend punctually, and generally discharge all such duties as may be required of them by the Council, the Advisory Council and the Professional Board for the purposes of the Act.
  - (c) The Secretary shall attend and take notes of the proceedings of meetings of the Council, any subcommittee thereof, Advisory Council and the Professional Board and other Committees as may be appointed by the Council or any of its bodies.
  - (d) The Secretary shall not less than 90 days before the expiration of the term of any existing appointment, draw the attention of the Health Department in the State Government in order that a new appointment may be made to take effect from the day of expiring his term.

- (e) The Secretary shall be the Certifying Officer for travelling and other allowances to members, inspectors and other employees of the Council and the Chairperson of the Council or those of the Secretary.
- (f) Leave and other entitlements of the Secretary and other officers of the Council shall be as may be specified by the Council.
- (g) The Chairperson shall be the Competent Authority to grant leave to the Secretary of the Council. The Secretary shall be the Competent Authority to grant leave to all the other employees of the Council.
- (h) Declaration of assets, professional and commercial engagement or involvement by the Secretary-
  - (a) The Secretary of the Council shall file return of assets and liabilities in the manner as may be specified by the Council.
  - (b) The Secretary of the Council shall also declare and send to the State Government as well as to the Council his professional and commercial engagement or involvement which may create perceived or otherwise conflict of interest with his duties in the Council, on his first appointment and at the time of demitting office in Form A.

8. Duties and tenure of officers and employees other than Secretary,-

- (a) Officers and the employees other than Secretary of the Council shall retire from service on superannuation on the afternoon of the last day of the month in which an officer or employee attains the age of fifty eight years. Extension of service shall not be given in any circumstances except with the approval of the State Government.
- (b) The Officers of the Council shall discharge such duties as may be assigned to them by the Secretary of Council from time to time under the overall supervision of the Secretary.

9. Entering name in the State Register.-

- 1) The Council shall maintain the Gujarat State Allied and Healthcare Professionals Register that shall be online and live.
- 2) An applicant seeking registration shall submit the application as per Form B for the issuance of the certificate of registration.
- 3) Title registration fee shall be Rs.2000/- for the purposes of making an application for getting name entered in to the State Register.
- 4) The certificate of Registration shall be issued by the Secretary under his seal and signature in Form C.
- 5) The duplicate Certificate shall be issued by the Secretary under his seal and signature in Form C.
- 6) To get a duplicate certificate, a fee of Rs. 1000/- shall be charged by the State Council.
- 7) A Renewal Certificate shall be issued by the Secretary under his seal and signature in Form C.
- 8) For issuance of renewal Certificate, a fee of Rs. 3000/- (Three thousand) shall be charged by the Council.
- 9) In case of removal of name of defaulter under proviso to sub-section (2) of section 35, the name so removed may be restored to the said register on payment of Rs.5000/- (Five Thousand) to the State Council.
- 10) The person seeking restoration of name in the State register shall pay a fee of Rs. 10,000(Ten thousand) to the Council.

10. Application of fund for expenses of the Council- The fund referred to in sub-section (1) of section 51 shall be applied for the expenses of the Council. While utilizing fund, the Council and its officials shall follow provisions and delegations as may be specified by the Council, procurement policy of Gujarat and the Mumbai Contingency Expenditure Rules,1959. For the purposes of utilization of the Council Fund, the Council shall have full powers while the Secretary and other officials shall exercise such powers as may be specified by the Council. The Council, while prescribing delegation, shall delegate financial and administrative powers to only the officers and not to any members.

11. Council to serve the needs of the Union Territory- In pursuance of clause (n) of sub-section (2) of section 68 and subject to the agreement executed between the State of Gujarat with any Union Territory which is published in the Official Gazette, the Gujarat State Allied and Healthcare Professionals Council may serve the needs of that other Union Territory in the capacity of a Joint Council with that other Union Territory.
12. Annual report of the Council.-
- 1) At the end of financial year ending with the 31st march of each year, the Council shall prepare the following financial statement along with necessary Schedules, notes on accounts significant accounting policy in accordance with the notes and instructions for compilation of financial statement prescribed by the State Government, namely:-
    - a) Balance Sheet
    - b) Income and Expenditure Account
    - c) Receipt and Payment Account.
  - 2) The Annual Financial Statement shall be approved and adopted by the Council and for the purpose of authentication, be signed by the Chairperson and Secretary of the Council.
  - 3) The approved Annual Financial Statement of the Council shall be audited and presented to the Council in the meeting within six months of the end of the financial year.
  - 4) The council shall prepare once in every year an Annual Report in respect of the matters specified in Form D.
  - 5) The Council shall submit Annual Report together with annual financial statement of the Council by 31st October of every year in soft and hard copy to the Secretary, Health and Family Welfare Department.
  - 6) The State Government shall cause the Annual Report of the Council to be laid in the Legislative Assembly of Gujarat at the earliest and not later than the meeting of the next session of the Legislative Assembly.

**Form A***(See rule 7(h(b)))*

**STATEMENT OF PROFESSIONAL AND COMMERCIAL ENGAGEMENTS OR INVOLVEMENT ON FIRST APPOINTMENT AND AT THE TIME OF DEMITTING OFFICE**

<b>Sr. No</b>	<b>Relation</b>	<b>Name</b>	<b>Professional position held in last three years from the date of declarations, if any</b>	<b>Commercial engagements /involvement held in last three years from The date of declarations, if any</b>
1	Self			
2	Spouse			
3	Dependent-1			
4	Dependent-2			
5*	Dependent-3			

\* Add more rows, if necessary.

Date:

Signature of Applicant

**Form B***(See rule 9(2))***APPLICATION FORM FOR REGISTRATION IN THE STATE ALLIED AND HEALTH CARE PROFESSIONAL'S REGISTERAND FOR ISSUANCE OF CERTIFICATE OF REGISTRATION.**

1. Name of the applicant (In Block Letters)
2. Gender: Male/Female/Others
3. Age:
4. Parent's Name (Full)
5. Are you a citizen of India
  - (a) by birth or
  - (b) by domicile:
 If so, state the date of becoming Indian citizen:
6. Date and place of Birth.
7. Present Occupation and Address (In block letters) with pin code.
8. Permanent Address (In block letters) with pin code.
9. Phone number.
10. Details of payment of fee towards registration.
11. Details of educational qualifications prior to/ other than allied and Healthcare qualifications

Educational Qualification	Name of School/College	Board/ University	Year of Passing
Matriculation or equivalent			
Senior Secondary or equivalent			

12. Details of Allied and Healthcare qualification for which registration is applied.

Name of Qualification(s)	Name of Institute/ College	University	Duration of the Course (with internship)	Name and address of hospital / institute of internship	Date of admission and passing

13. Any other remarks/information that applicant wants to submit.

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Date:

Signature of Applicant.

Note:

- (1) The application form should be properly and neatly filled in.
- (2) Following documents to be enclosed with application:
  - (a) Degree or Diploma in original or Provisional Certificate from the University/or Dean of the college that the applicant is eligible for the award of the degree along with attested copies thereof may be forwarded along with the Registered Certificate.
  - (b) Duly attested copy of certificate of practical training. (Compulsory rotating internship) issued by Dean of the college.
  - (c) Provisional registration Certificate in original.
  - (d) Two recent passport size photographs front view.
  - (e) Signature on two self-adhesive slips provided with application.

**Form C***(See rule 9(4)(5)(7))*

CERTIFICATE OF REGISTRATION/ ISSUE OF DUPLICATE/ RENEWAL OF  
REGISTRATION/CANCELLATION OF REGISTRATION BY THE COUNCIL FOR  
ALLIED AND HEALTHCARE PROFESSIONS ACT, 2021

CERTIFICATE OF REGISTRATION NO. \_\_\_\_\_

- \* This is to certify that name of Shri \_\_\_\_\_, having an Allied and Healthcare Professional qualification in \_\_\_\_\_ residing at \_\_\_\_\_ is entered in the State Register of Allied and Healthcare Professionals at serial no. \_\_\_\_\_ on \_\_\_\_\_.
- \* This is to certify that this duplicate Certificate of Registration is issued at the behest and in the name of Shri \_\_\_\_\_ as he/she/they has represented that the Certificate of Registration No. \_\_\_\_\_ registering his name of the State Register has been lost/ mutilated.
- \* This is to certify that the Certificate of Registration issued in the name of Shri \_\_\_\_\_ registering the name in the State Register is hereby renewed up to \_\_\_\_\_.
- \* This is to certify that the Certificate of Registration issued in the name of Shri \_\_\_\_\_ registering the name in the State Register at serial number \_\_\_\_\_ is hereby cancelled with effect from \_\_\_\_\_.

(\* Strike out which is not relevant.)

**Secretary,**

Gujarat Allied Healthcare  
Professions Council.

(SEAL)

Date:

**Note:**

- (1) Every Registered Practitioner should be careful to send to the Secretary's immediate notice of any change in his address and also answer all enquiries that may be sent to him by the Secretary in regard thereto in order that his correct address may be duly inserted in the Register of Registered Practitioners.
- (2) No fees shall be payable for alteration of address.

**Form D***(See rule 12(4))*

## ANNUAL REPORT OF COUNCIL FOR ALLIED AND HEALTHCARE PROFESSIONS

YEAR \_\_\_\_\_

1. Introduction
2. Constitution of the Council
3. Objectives of Council
4. Functions of the Council
5. Advisory Council (if any)
6. Recommendations of the Advisory Council
7. Professional Councils and its activities.
8. Standardization of curriculum and scope of practice with respect to each profession under the various professional categories
9. Task Shifting
10. Registration of Allied and Healthcare Professionals
11. Appeals
12. Category wise New Registration of Professionals
13. Category wise removal of professionals from the State register
14. Accreditation and Rating of Institutions
15.
  - 1) Growth of Allied and Healthcare Education System (including State distribution)
    - (A) Universities/ Institutions/ Colleges
    - (B) Faculty Strength
    - (C) Student's Enrolment
    - (D) Graduated Students
    - (E) Employment statistics (Addition of workforce in the current year, percentage \_\_\_\_\_ of students without employment etc.)
    - (F) Research Development in Universities/ Institutions
    - (G) Condensed Statistics on Growth of Allied and Healthcare Education
  - 2) Guidelines for Determination of Fees for Seats in Private Institutions and Deemed Universities
  - 3) Common Entrance Examination
  - 4) Exit-cum-Licensing Examination
  - 5) National Teachers Eligibility Test
  - 6) Assessment of Healthcare including Human Resources for Health and Healthcare, infrastructure and Road Map for its Development.
  - 7) Website of the Council
  - 8) Legal Matters
  - 9) Vigilance Matters



16. Matters related to Right to Information Act.
17. Accounts and Establishment, including annual audit report
18. Important Activities and Decisions of the Council
19. Publications
20. Miscellaneous

Date :

Signature of  
the Chairperson of  
the Council

By order and in the name of the Governor of Gujarat,

**S. P. PATEL,**

Under Secretary to Government.

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